

of the joint resolution, H.J. Res. 79, on which the yeas and nays are ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 407, nays 16, not voting 11, as follows:

[Roll No. 664]

YEAS—407

Abercrombie	Davis (AL)	Holt
Ackerman	Davis (CA)	Honda
Aderholt	Davis (FL)	Hooley (OR)
Akin	Davis (IL)	Hostettler
Alexander	Davis (TN)	Houghton
Allen	Davis, Jo Ann	Hoyer
Andrews	Davis, Tom	Hulshof
Baca	Deal (GA)	Hunter
Bachus	DeGette	Hyde
Baird	Delahunt	Inslee
Baker	DeLauro	Isakson
Baldwin	DeLay	Israel
Ballance	Deutsch	Issa
Ballenger	Diaz-Balart, L.	Istook
Barrett (SC)	Diaz-Balart, M.	Jackson (IL)
Bartlett (MD)	Dicks	Janklow
Barton (TX)	Doggett	Jefferson
Bass	Dooley (CA)	Jenkins
Beauprez	Doollittle	John
Bell	Doyle	Johnson (CT)
Bereuter	Dreier	Johnson (IL)
Berkley	Duncan	Johnson, E. B.
Berman	Dunn	Johnson, Sam
Berry	Edwards	Jones (NC)
Biggart	Ehlers	Jones (OH)
Bilirakis	Emanuel	Kanjorski
Bishop (GA)	Emerson	Kaptur
Bishop (NY)	Engel	Keller
Bishop (UT)	English	Kelly
Blackburn	Eshoo	Kennedy (MN)
Blumenauer	Etheridge	Kennedy (RI)
Blunt	Evans	Kildee
Boehlert	Everett	Kilpatrick
Boehner	Farr	Kind
Bonilla	Fattah	King (IA)
Bonner	Feeney	King (NY)
Bono	Ferguson	Kingston
Boozman	Flake	Kirk
Boswell	Foley	Klecza
Boucher	Forbes	Kline
Boyd	Fossella	Knollenberg
Bradley (NH)	Frank (MA)	Kolbe
Brady (PA)	Franks (AZ)	LaHood
Brady (TX)	Frelinghuysen	Lampson
Brown (OH)	Frost	Langevin
Brown (SC)	Galleghy	Lantos
Brown, Corrine	Garrett (NJ)	Larsen (WA)
Brown-Waite,	Gerlach	Larson (CT)
Ginny	Gibbons	Latham
Burgess	Gilchrest	LaTourrette
Burns	Gillmor	Leach
Burr	Gingrey	Lee
Burton (IN)	Gonzalez	Levin
Buyer	Goode	Lewis (CA)
Calvert	Goodlatte	Lewis (GA)
Camp	Gordon	Linder
Cannon	Goss	Lipinski
Cantor	Granger	LoBiondo
Capito	Graves	Lofgren
Capps	Green (TX)	Lowe
Cardin	Green (WI)	Lucas (KY)
Cardoza	Greenwood	Lucas (OK)
Carson (IN)	Grijalva	Lynch
Carson (OK)	Gutierrez	Majette
Carter	Gutknecht	Maloney
Case	Hall	Manzullo
Castle	Harman	Markley
Chabot	Harris	Matheson
Chocola	Hart	Matsui
Clyburn	Hastings (FL)	McCarthy (MO)
Coble	Hastings (WA)	McCarthy (NY)
Cole	Hayes	McCollum
Collins	Hayworth	McCotter
Cooper	Hefley	McCrery
Cox	Hensarling	McGovern
Cramer	Herger	McHugh
Crane	Hill	McInnis
Crenshaw	Hinchey	McIntyre
Crowley	Hinojosa	McKeon
Cubin	Hobson	McNulty
Culberson	Hoeffel	Meehan
Cummings	Hoekstra	Meek (FL)
Cunningham	Holden	Meeks (NY)

Menendez	Putnam	Solis
Mica	Quinn	Souder
Michaud	Rahall	Spratt
Millender-	Ramstad	Stearns
McDonald	Rangel	Stenholm
Miller (FL)	Regula	Strickland
Miller (MI)	Rehberg	Stupak
Miller (NC)	Renzi	Sullivan
Miller, Gary	Reyes	Sweeney
Mollohan	Reynolds	Tancredo
Moore	Rodriguez	Tanner
Moran (KS)	Rogers (AL)	Tauscher
Moran (VA)	Rogers (KY)	Taylor (MS)
Murphy	Rogers (MI)	Taylor (NC)
Murtha	Rohrabacher	Terry
Musgrave	Ros-Lehtinen	Thomas
Myrick	Ross	Thompson (CA)
Nadler	Rothman	Thompson (MS)
Napolitano	Roybal-Allard	Thornberry
Neal (MA)	Royce	Tiahrt
Nethercutt	Rush	Tiberi
Neugebauer	Ryan (OH)	Toomey
Ney	Ryan (WI)	Towns
Northup	Ryun (KS)	Turner (OH)
Norwood	Sabo	Turner (TX)
Nunes	Sanchez, Linda	Udall (CO)
Nussle	T.	Udall (NM)
Oberstar	Sanchez, Loretta	Upton
Obey	Sanders	Van Hollen
Ortiz	Sandlin	Velazquez
Osborne	Saxton	Visclosky
Ose	Schakowsky	Vitter
Otter	Schiff	Walden (OR)
Owens	Schrock	Walsh
Oxley	Scott (GA)	Wamp
Pallone	Scott (VA)	Waters
Pascrell	Sensenbrenner	Watson
Pastor	Serrano	Waxman
Payne	Sessions	Weiner
Pearce	Shadegg	Weldon (FL)
Pelosi	Shaw	Weldon (PA)
Pence	Shays	Weller
Peterson (MN)	Sherwood	Wexler
Peterson (PA)	Shimkus	Whitfield
Petri	Shuster	Wicker
Pickering	Simmons	Wilson (MN)
Pitts	Simpson	Wilson (SC)
Platts	Skelton	Wolf
Pombo	Slaughter	Woolsey
Pomeroy	Smith (MI)	Wu
Porter	Smith (NJ)	Wynn
Portman	Smith (TX)	Young (AK)
Price (NC)	Smith (WA)	Young (FL)
Pryce (OH)	Snyder	

NAYS—16

Becerra	Ford	Olver
Capuano	Jackson-Lee	Sherman
Conyers	(TX)	Stark
DeFazio	Kucinich	Tierney
Dingell	McDermott	Watt
Filner	Miller, George	

NOT VOTING—11

Clay	Gephardt	Radanovich
Costello	Lewis (KY)	Ruppersberger
DeMint	Marshall	Tauzin
Fletcher	Paul	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS) (during the vote). Two minutes remain in this vote.

□ 2137

Mr. GEORGE MILLER of California changed his vote from “yea” to “nay.” So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman will state it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, is it my understanding that

the rule we are about to take up for the underlying bill, H.R. 1, is a rule that is pursuant to a conference and a conference report where Democratic conferees were not even allowed into the room and where the Committee on Rules did not address the elimination or the lack of acknowledgment of the participation of the Democratic conferees? Is this H.R. 1 that we are about to take up? And is there any way for the points of order to be in order so that we could address that question on the floor of the House?

The SPEAKER pro tempore. The chair is about to recognize a member from the Committee on Rules to call up the rule, which will be read to the House.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1, MEDICARE PRESCRIPTION DRUG, IMPROVEMENT, AND MODERNIZATION ACT OF 2003

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 463 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 463

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my colleague and friend, the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 463 is a standard rule waiving all points of order against the conference report to accompany H.R. 1, the Prescription Drug and Medicare Modernization Act of 2003. The rule also waives all points of order against its consideration.

Mr. Speaker, I rise today in full support of the rule and of the underlying bill. I would like to thank Chairman THOMAS and Chairman TAUZIN for their outstanding coordination, their remarkable leadership, and the inspiring vision that they have provided on this critical legislation. The conferees have all worked extraordinarily hard to